

# NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

## Minutes of Meeting

December 10, 2004

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### Attendance:

#### **Robert Clegg, Chairman, Department of Safety**

Tedd Evans, Board for licensing and regulation of plumbers, licensed master plumber  
Thomas S Lambert, Chief, NH Association of Fire Chiefs, Municipal Fire  
Mark Weissflog, NH Electrical Contractors Business Asso., licensed master electrician  
Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design  
George Maihos, NH Electricians Board, licenses master electrician  
Jerry Tepe, Board of Architects, licensed architect  
James Petersen, PE, Board of Engineers, licensed mechanical engineer  
Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business  
John Tuttle, NH Home Builders Association, Architectural designer – residential  
Joel Fisher, Board of Engineers, licensed structural engineer  
Wes Golomb, Public Utilities Commission, State energy conservation code office

### Excused:

Med Kopczynski, NH Municipal Association

### Absent:

Bruce Phillips, NH Association of Fire Chiefs, municipal volunteer fire chief  
Tyler Carlisle, Board of Engineers, licensed electrical engineer  
Fred Baybutt, Associated General Contractors, building contractor – non-residential buildings

### Guests:

Marta Modigliani, Attorney, Department of Safety, Office of the Commissioner  
Rob Farley, Deputy State Fire Marshal, NH Department of Safety

Chairman Clegg called the Board meeting to order, and having 12 members seated in attendance, declared a quorum.

### **GENERAL MEETING:**

#### Adoption of meeting minutes from November 19, 2004:

Mark Weissflog made the **Motion** to accept the minutes as printed. Rick Swain **Seconded** the **Motion**. There being no omissions, corrections, additions vote was taken to accept. Vote was **Unanimous**.

### **NEW BUSINESS:**

#### Letter from the Department of Education:

Tedd Evans said there were concerns about the number of toilet requirement in the Plumbing Code being too strenuous. The buildings are never filled to capacity therefore, you don't need all the toilets that are specified in the Building and Plumbing Code, therefore Ed Murdough wants some amendment to the Code to reflect that. In the Plumbing Board, they took the letter *under advisement* and informed him that he could put a petition before THIS Board – and that is what he is doing. Chairman Clegg asked if there was a method in place to request a waiver in these communities for schools? Answer is no. Rick Swain asked if he was interpreting the Code correctly. The answer was No. Tedd Evans said he could not see this Board making a blanket waiver on this as people look at school buildings as a place of public safety. Jerry Tepe explained that if you look at a 1,000 student school, you add in staff, visitors etc, works out to one toilet per 20 students. And when you figure that most of the time, at a high school,

the toilets are getting used in-between classes. Its not a trickle in – its large numbers coming in at one time. Schools are often used for things like town meetings, where you could have a large group of 1,500 or higher – that would be 1 toilet per 30.people. Tedd Evans said that he may be rationalizing it as if the auditorium/gym is being used, the classrooms would be empty. Occupant load for schools is based strictly on the number of classrooms. Chairman Clegg will invite Ed Murdough to the next Board meeting for discussion.

#### OLD BUSINESS:

##### 2005 NEC Adoption of amendments – report – sub-committee:

Mark Weissflog stated that he had with him reprints from the EM&M Magazine, and article, **the Top 25 Revisions to the National Electrical Code** available to any Board member wishing to have one. Chairman will table this agenda item until next month when Tyler Carlisle will be in attendance and can report to the Board.

##### State Building Code website – report – sub-committee:

James Petersen reported that the sub-committee did not have a report for this months meeting. The sub-committee will be working on that this month – and will have a report ready for the next meeting. Tedd Evans asked if Jerry Tepe's website suggestions from last month could not be incorporated into the website. Marta will check into it and report back to the Board next month or work with the sub-committee.

##### Smart Codes:

Mike Santa reported that the sub-committee met and they reviewed the document. He reported that everyone on the Board will get a book. Mike will report back again at next months meeting on progress.

##### Additional item - Legislation matters:

Chairman Clegg did put into Legislature all of the revisions that the Board has done so far for the Legislature to approve as that is what the law requires. He has not been given a copy of the Bill yet. When he does – an electronic copy will be forwarded to the Board members.

##### Reminder:

Jerry Tepe reminded the Board that next month will be the Public Hearing on amendments to the Building Code, to the Mechanical Code and to the Energy Conservation Code.

#### OTHER BUSINESS:

Chairman Clegg asked Marta to check the files to see if we received a letter requesting a Hearing on an action by the Electrician's Board. And if it was received, Marta will book it in for next months meeting. As Chairman he directed George Maihos to bring in the letter asking for a hearing and it will be heard before this Board at January's meeting unless the Electrician's Board settles it beforehand.

Marta had the Rules on the Appeals Process and asked if the Chair wanted them discussed in public or attorney-client privileged?

There being no further business for the public portion, Chairman Clegg asked for a motion to go into attorney-client privilege forum. Jerry Tepe moved that they be done in attorney-client privileged forum. Motion was **Seconded** by Wes Golomb. Vote was **Unanimous**.

Board returned to the public meeting.

Chairman Clegg reminded everyone to check on their appointment expiration dates – and if they were going to expire soon – make sure they get their re-nomination letter into Evvy. (Your dates are on the mailing list).

Chairman Clegg has a thank you letter to go to Ken Andrews – thanking him for being instrumental in the early stages of this Board.

George Maihos read from the Electrician's Rules, "to request a hearing or re-hearing . . .any person can do that."

Tom Lambert wanted to correct the minutes to reflect that he was **Excused** and not **Absent** as he did email in saying he would not be attendance. Correction will be made in Red on the minutes. Rick Swain suggested that changes be

made to the membership of the Board as some members who have been appointed, have never shown up for a meeting. It will be put on the Agenda for the next meeting.

Jerry Tepe made the **Motion** adjourn, **Seconded** by John Tuttle. Vote was **Unanimous** – and so declared by the Chair.